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EXAMINER

WU, XIAO MIN

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**BEFORE THE BOARD OF PATENT APPEALS  
AND INTERFERENCES**

Paper No. 18

Application Number: 09/458,858  
Filing Date: December 10, 1999  
Appellant(s): PANDANA, JAMIN

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Donna L. Angotti  
For Appellant

**EXAMINER'S ANSWER**

This is in response to the appeal brief filed 8/11/2003.

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**(1) *Real Party in Interest***

A statement identifying the real party in interest is contained in the brief.

**(2) *Related Appeals and Interferences***

A statement identifying the related appeals and interferences which will directly affect or be directly affected by or have a bearing on the decision in the pending appeal is contained in the brief.

**(3) *Status of Claims***

The statement of the status of the claims contained in the brief is correct.

**(4) *Status of Amendments After Final***

The appellant's statement of the status of amendments after final rejection contained in the brief is correct.

**(5) *Summary of Invention***

The summary of invention contained in the brief is correct.

**(6) *Issues***

The appellant's statement of the issues in the brief is correct.

**(7) *Grouping of Claims***

Appellant's brief includes a statement that claims 1, 2, 7-9, 11 and 12 will stand or fall together, claims 3-5 will stand or fall together, and claims 6, 10 and 13 will stand or fall together, and provides reasons as set forth in 37 CFR 1.192(c)(7) and (c)(8).

**(8) *Claims Appealed***

The copy of the appealed claims contained in the Appendix to the brief is correct.

**(9) Prior Art of Record**

The following is a listing of the prior art of record relied upon in the rejection of claims under appeal.

5,943,506	POISNER	8-1999
5,847,695	DUNCAN ET AL.	12-1998
5,706,031	BRENDZEL ET AL.	1-1998

**(10) Grounds of Rejection**

The following ground(s) of rejection are applicable to the appealed claims:

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1, 2 and 6-13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Poisner (US Patent No. 5,943,506).

As to claims 1, 7 and 12, Poisner discloses an input device for a computer system, comprising: a keyboard (34, Fig. 1) connecting to a function controller (32, Fig. 1) for providing output signals for use in the computer system in accordance with a Universal Serial Bus technique; and a pointing device (36, Fig. 1) coupled to the function controller, the keyboard and the pointing device sharing the function controller. It is noted that Poisner does not specifically disclose that the keyboard **having** a function controller or the function controller is the only controller **in said** keyboard. However, Poisner discloses that in one embodiment, with exception

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of USB keyboard 34 and USB pointing device 36, all other elements 12-30 are disposed on a motherboard (not shown), i.e. either an integral part of the motherboard, surface mounted to the motherboard, or interconnected to the motherboard through sockets or connectors (col. 3, lines 9-15). Clearly, Poisner suggests that the keyboard controller is not disposed on a motherboard or inside of the PC and it could be outside of the PC. Poisner further suggest that the present invention may be practiced on computer system with some of the enumerated elements packaged/interconnected differently, without some of the enumerated elements or with other additional elements (col. 4, lines 9-15). Thus, It would have been obvious to one of ordinary skill in the art to have integrated the keyboard controller into the keyboard since Poisner suggests that the keyboard controller could be outside of the PC and with some of the enumerated elements packaged/interconnected differently.

As to claim 2, Poisner discloses the pointing device is hardwired to the function controller.

As to claims 6, 10, 13, Poisner discloses that the pointing device is a dumb.

As to claim 8, Poisner discloses that the keyboard is recognized by the computer system as a USB function.

As to claim 9, Poisner discloses that the function controller (32) is the only controller in the keyboard device.

As to claim 11, Poisner discloses that the keyboard and mouse are recognized by the computer system as a composite USB device.

3. Claims 3-5 are rejected under 35 U.S.C. 103(a) as being unpatentable over Poisner (US Patent No. 5,943,506) in view of Brendzel et al. (US Patent No. 5,706,031).

As to claims 3-5, it is noted that Poisner does not disclose that the pointing device is a wireless device. Brendzel is cited to teach a wireless pointing device using either infrared or radio frequency for communication. It would have been obvious to one of ordinary skill in the art to have modified Poisner with the features of the wireless communication as taught by Brendzel, so as to increase the freedom of operating the inputting device.

4. Claims 1-2 and 6-13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Poisner (US Patent No. 5,943,506) in view of Duncan et al. (US Patent No. 5,847,695).

Note the discussion of Poisner above. Poisner does not clearly state that the keyboard controller is located in the keyboard. However, Duncan provides an evidence that a USB keyboard controller can be located inside an input device such as a mouse/keypad device rather than the computer (col. 3, lines 19-30). It would have been obvious to one of ordinary skill in the art to have integrated the keyboard controller into the keyboard device because it is an alternative way to put the keyboard controller inside of the computer or inside of the keyboard.

As to claim 2, Poisner discloses the pointing device is hardwired to the function controller.

As to claims 6, 10, 13, Poisner discloses that the pointing device is a dumb.

As to claim 8, Poisner discloses that the keyboard is recognized by the computer system as a USB function.

As to claim 9, Poisner discloses that the function controller (32) is the only controller in the keyboard device.

As to claim 11, Poisner discloses that the keyboard and mouse are recognized by the computer system as a composite USB device.

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5. Claims 3-5 are rejected under 35 U.S.C. 103(a) as being unpatentable over Poisner (US Patent No. 5,943,506) in view of Duncan et al. (US Patent No. 5,847,695) as applied to claim 1 above, and further in view of Brendzel et al. (US Patent No. 5,706,031).

As to claims 3-5, it is noted that Poisner and Duncan do not disclose that the pointing device is a wireless device. Brendzel is cited to teach a wireless pointing device using either infrared or radio frequency for communication. It would have been obvious to one of ordinary skill in the art to have modified Poisner and Duncan with the features of the wireless communication as taught by Brendzel, so as to increase the freedom of operating the inputting device.

**(11) Response to Argument**

With respect to the 103 rejection under Poisner, appellant argues that Poisner is silent on the location of the USB controller and there is no suggestion to locate the USB controller outside the PC. These arguments are not persuasive. Poisner discloses that in one embodiment, with exception of USB keyboard 34 and USB pointing device 36, all other elements 12-30 are disposed on a motherboard (not shown), i.e. either an integral part of the motherboard, surface mounted to the motherboard, or interconnected to the motherboard through sockets or connectors (col. 3, lines 9-15). This teaching of Poisner clearly means that the USB Controller 32 is an independent element and is not an integral part of the motherboard. Poisner further suggests the present invention may be practiced on computer system with some of the enumerated elements packaged/interconnected differently, without some of the enumerated elements or with other additional elements (col. 4, lines 9-15). Since Poisner suggests that each of the elements can be interconnected differently and the facts that the USB controller is an independent element which

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is not a part of the elements in the motherboard within the PC, it would have been obvious to relocate the USB controller into the keyboard without any effect/or change of the function of the USB controller.

With respect to the 103 rejection under Poisner in view of Duncan. Appellant argues that Duncan fails to disclose a USB keyboard controller located within the keyboard. This argument is not persuasive. As shown in Fig. 4 of Duncan, the USB controller 24 is a controller shared by both pointing device 20 and key input device 25. The USB controller is located within the input device. The USB controller 24 of Duncan functions the same way as the USB controller of Poisner such as forwarding the pointing device data and key stroke data into the computer. It would have been obvious to one of ordinary skill in the art to have placed the USB controller within the housing of the keyboard of Poisner because the keyboard of the Poisner is an input device and a control circuit including the USB controller can be placed into an input device is clearly suggested by Duncan.

Appellant also argues that the rejection of claims 1, 7, and 12 for obvious lack substantial evidence support. This argument is not persuasive because Poisner alone or in combination with Duncan clearly suggests it would have been obvious to have placed the USB controller within the keyboard housing. Specifically, Duncan provides a substantial support for putting the USB controller inside of an input device.

Appellant further argues that there is no motivation to combine the elements of Poisner (or Poisner and Duncan) with Brendzel. This argument is not persuasive because Brendzel is cited to teach a wireless pointing device using either infrared or radio frequency for communication. It would have been obvious to one of ordinary skill in the art to have modified




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Poisner with the features of the wireless communication as taught by Brendzel, so as to increase the freedom of operating the inputting device.

Appellant argues that Poisner fails to disclose a "dumb" pointing device. This argument is not persuasive because the pointing device 36 of Poisner is communicated with computer through the USB controller. The pointing device 36 is a dumb pointing device because it cannot work without connecting to the USB controller.

For the above reasons, it is believed that the rejections should be sustained.


Respectfully submitted,


  
**XIAO M. WU**  
**Primary Examiner**  
**Art Unit 2674**

xw

January 23, 2004

Conferees

  
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